

# WORKMAN / NYDEGGER

1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Phone: (801) 533-9800  
Fax: (801) 328-1707

RECEIVED  
CENTRAL FAX CENTER

OCT 29 2004

## FAX TRANSMISSION COVER SHEET

Date: October 29, 2004  
To: United States Patent & Trademark Office  
Fax: (703) 872-9306  
Phone:  
From: R. Burns Israelsen  
Our File: 15436.253.73.1.1

YOU SHOULD RECEIVE 8 PAGE(S), INCLUDING THIS COVER SHEET. IF  
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 801-533-9800

### Comments:

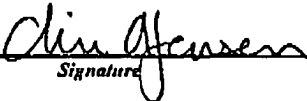
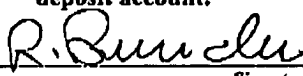
Please see attached.

### PRIVILEGED AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.



<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 15436.253.73.1.1	
In Re Application Of: Fishman, et al.						
Application No. 10/695,477	Filing Date 10/28/2003	Examiner Unknown	Customer No. 022913	Group Art Unit 2858	Confirmation No. 5594	
Title: SYSTEM AND METHOD OF MEASURING A SIGNAL PROPAGATION DELAY						
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
<b>37 CFR 1.97(b)</b>						
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
<b>37 CFR 1.97(c)</b>						
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);						
OR						
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).						

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 15436.253.73.1.1	
In Re Application: <b>Fishman, et al.</b>					
Application No. <b>10/695,477</b>	Filing Date <b>10/28/2003</b>	Examiner <b>Unknown</b>	Customer No. <b>022913</b>	Group Art Unit <b>2858</b>	Confirmation No. <b>5594</b>
Title: <b>SYSTEM AND METHOD OF MEASURING A SIGNAL PROPAGATION DELAY</b>					
<div style="text-align: center;"><b>Payment of Fee</b> (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</div> <div style="margin-top: 10px;"><input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <b>23-3178</b> as described below.<div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required.</div><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 48%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Transmission by Facsimile*</div><div style="font-size: x-small; padding: 5px;">I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)</div><div style="margin-top: 10px;">10/ <u>29</u> /04 (Date)</div><div style="text-align: center; margin-top: 20px;"> <i>Signature</i></div><div style="border-top: 1px solid black; padding-top: 5px; font-size: x-small;">Chris A. Jensen Typed or Printed Name of Person Signing Certificate</div></div><div style="width: 48%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Mailing by First Class Mail</div><div style="font-size: x-small; padding: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</div><div style="text-align: center; margin-top: 10px;">_____ (Date)</div><div style="text-align: center; margin-top: 20px;">_____ <i>Signature of Person Mailing Correspondence</i></div><div style="border-top: 1px solid black; padding-top: 5px; font-size: x-small;">_____ Typed or Printed Name of Person Mailing Certificate</div></div></div> <div style="margin-top: 20px; font-size: x-small;"><p>*This certificate may only be used if paying by deposit account.</p><div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="width: 40%;"> _____ <i>Signature</i></div><div style="width: 55%; text-align: right;">Dated: <b>October 29</b>, 2004.</div></div><div style="margin-top: 10px; font-weight: bold; font-size: small;">R. BURNS ISRAELSEN Attorney for Applicant Registration No. 42,685 Customer No. 022913</div><div style="margin-top: 20px; font-size: x-small;">cc:</div></div>					

RECEIVED  
CENTRAL FAX CENTER

OCT 29 2004

PATENT APPLICATION  
Docket No: 15436.253.73.1.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Fishman, et al.

Serial No.:

10/695,477

Confirmation No.:

5594

Filed:

October 28, 2003

For:

SYSTEM AND METHOD OF MEASURING  
A SIGNAL PROPAGATION DELAY

Examiner:

Unknown

)  
)  
)  
)  
) Art Unit  
) 2858  
)  
)  
)  
)  
)  
)  
)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

The accompanying Form PTO-1449 notifies the Examiner of the specified related pending U.S. patent applications listed therein. This notice is not an admission that the claims of the present application and the claims of the specified related pending patent applications are substantially similar or that the specified related applications represent prior art with respect to the present application.

Please credit any over payment or charge any additional fees to Deposit Account No. 3-3178 of the undersigned.

DATED October 29, 2004.

Respectfully submitted,



R. BURNS ISRAELSEN  
Attorney for Applicant  
Registration No. 42,685  
Customer No. 022913

RDL: csj  
CAJ0000000728V001

Form PTO-1449

Sheet 1 of 2

Applicant: Fishman, et al.  
Serial No.: 10/695,477 Att'y Docket No.: 15436.253.73.1.1  
Filing Date: October 28, 2003 Group: 2858  
For: SYSTEM AND METHOD OF MEASURING A SIGNAL  
PROPAGATION DELAY

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTRelated U.S. Patent Applications

<u>Inventor</u>	<u>Application Number</u>	<u>Filing Date</u>
Alex Fishman, et al.	10/285,081	October 31, 2002
Alex Fishman, et al.	10/285,082	October 31, 2002

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
___ 1	5,268,949	12/07/1993	Watanabe et al.
___ 2	5,748,672	05/1998	Smith et al.
___ 3	5,761,216	06/02/1998	Sotome et al.
___ 4	6,661,836	12/2003	Dalal et al.
___ 5	6,694,462	02/2004	Rciss et al.

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
--------------------------	------------------------	-------------------------	---------------------------------

NONE

Other Documents

(including author, title, pertinent pages, etc.)

Examiner  
Initial\*

NONE

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Sheet 2 of 2

Applicant: Fishman, et al.

Serial No.: 10/695,477

Att'y Docket No.: 15436.253.73.1.1

Filing Date: October 28, 2003

Group: 2858

For: SYSTEM AND METHOD OF MEASURING A SIGNAL  
PROPAGATION DELAY**References Cited by Applicants**

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

CAJ0000000727V001

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.